

Notice and Invitation to Bid: PA-04 (GS)

## PA-04 (GS): NOTICE AND INVITATION TO BID

THE DEPARTMENT OF PUBLIC WORKS INVITES BIDDERS FOR THE PROVISION OF 24 HOURS SECURITY GUARDING SERVICES AT RONDEBOSCH ESTATE.

Project title:	PROVISION OF SECURITY GUARDING SERVICES AT RONDEBOSH ESTATE FOR A PERIOD OF THIRTY SIX (36) MONTHS			
Bid no:	CPTSC 04/24	***************************************		
Advertising date:	10 MAY 2024	Closing date	<b>:</b>	31 MAY 2024
Closing time:	11:00	Validity perio	od:	84 days
Note 1: Failure to meet	RITERIA APPLICABLE minimum functionality score		D ⊠ tenderer being	
Functionality criteria:1				Weighting factor:
Total (Weightings will be mul	tiplied by the scores alloca	ted during the e	valuation prod	100 Points  ess to arrive at the total
functionality points)				
	score to qualify for further g score for functionality is 50		viation below	or above the 50 percent
provide motivation below	<i>i</i> ).	porconi, arry do	VIGUOTI 201011	or above the de persent,
			The state of the s	
2. THE FOLLOWING EV	ALUATION METHOD FOR	RESPONSIVE E	BIDS WILL BE	APPLICABLE:
☐ Method 1 (Financial offer) ☐ Method 2 (Financial and Preference offer)				
2.1. Indicate which pref	erence points scoring sys	tem is applicab	le for this bid	:

<sup>&</sup>lt;sup>1</sup>The points allocated to each functionality criterion should not be generic but should be determined separately for each tender on a case by case basis.



### 3. RESPONSIVENESS CRITERIA

3.1. Indicate substantive responsiveness criteria applicable for this tender. Failure to comply with the criteria stated hereunder <u>shall</u> result in the tender offer being disqualified from further consideration:

9		TOTAL DIRECT COST AS PER NATIONAL BARGAINING COUNCIL FOR PRIVATE SECURITY SECTOR ILLUSTRATIVE PRICING GUIDE (USE LINE B). Failure to quote using
9	$\boxtimes$	grand total to PA-32 (Invitation to Bid form) as provided in the tender document. Failure to transfer Grand Total from the pricing schedule to PA 32 will result to the bid being disqualified.
		Failure to submit any of the above required documents will render the bid non-responsive and duly disqualified.  The bidder must submit a fully and adequately completed Pricing Schedule and transfer the
		Each of the above submitted documents must be accompanied by the reference letter and must be aligned to the submitted completed projects.
		OR  3. Purchase order(s) with clear contract description and contract value.
8	$\boxtimes$	OR 2. Service Level Agreement with clear contract description, contract value, contract duration, contact details and signed by both parties.
		The following documents must be submitted in relation to the above:  1. Signed Appointment letter(s) by the employer with clear contract description, contract value, contract duration and contact details.
		The bidder must submit 3 completed projects in Provision of Physical Security Guarding Services with a minimum accumulated value of R300 000.00
7		Submission of copy of valid PSIRA Letter of Good Standing Submission of copy of valid COIDA Letter of Good Standing from Department of Labour Submission of copy of valid certificate of registration issued by the National Bargaining Council for the Private Security Sector.
		Submission of copy of valid PSIRA company registration certificate Submission of copy of valid PSIRA Grade A or B certificate for the Director(s)
6		Submission of record of attending compulsory briefing session.  The bidders must sign the attendance register at the meeting as proof of attendance and the register will be closed at the venue after the meeting. Failure to sign the attendance register will render your bid non-responsive.
5	$\boxtimes$	Submission of PA-32: Invitation to Bid
4	$\boxtimes$	Use of correction fluid is prohibited.
3		All parts of tender documents submitted must be fully completed in ink and signed where required
2		Tender offer must be properly received on the tender closing date and time specified on the invitation, fully completed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. (All as per Standard Conditions of Tender).
	$\boxtimes$	Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tenderer".

Page 2 of 7



# 3.2. Indicate administrative requirements applicable for this tender. Tenderers may be required to submit the below documents where applicable.

The Employer reserves the right to request further information regarding the undermentioned criteria. Failing to submit further clarification and/or documentation within seven (7) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

1	$\boxtimes$	Any correction to be initialled by the person authorised to sign the tender documentation as per PA 15.1 or PA 15.2 resolution of board/s of directors / or PA15.3 Special Resolution of Consortia or JV's.
2	$\boxtimes$	Submission of applicable (PA-15.1, PA-15.2, PA-15.3): Resolution by the legal entity, or consortium / joint venture, authorising a dedicated person(s) to sign documents on behalf of the firm / consortium / joint venture.
3	$\boxtimes$	Submission of (PA-11): Bidder's disclosure.
4	$\boxtimes$	Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.
5	$\boxtimes$	Submission of proof of Registration on National Treasury's Central Supplier Database (CSD) or insert the Supplier Registration Number on the form of offer
6	$\boxtimes$	Upon request, submission of a fully completed security clearance application form with supporting documentation and information as required. The security clearance form will be provided by the Employer for projects requiring a security clearance.
7	$\boxtimes$	Bidders must provide a valid copy of ICASA license or lease agreement signed by both lessor and lessee together with a copy of ICASA licence from the company the bidder is leasing from.
8	$\boxtimes$	Bidder must submit copy of a Lease Agreement or Service Level of Agreement or Municipality Water bill, Title Deed or Letter of intent to rent or buy as a proof of existing Administrative Office within the Cape Metropiltan Area where the service will be rendered within the Western Cape. If not yet provided the company will be give a period of seven (7) calender days to obtain and submit to the Department.
9	$\boxtimes$	Copy of a valid Letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department of Public Works & Infrastructure.
10		Copy of valid letter of Good Standing from UIF, if not registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.  Proof of provident fund, if not yet registered the company will be given a period of seven (7) days to register and submit to the Department of Public Works & Infrastrucure.  Proof of Public liability for an amount of two (2) million rands, if not yet registered the company will be given a period of twenty one (21) calendar days to register and submit to the department of Public Works & Infrastructure.  Copy of Bargaining Council Health Insurance, if not yet registered the company will be given a period of seven (7) calender days to register and submitt to the Department of Public Works & Infrastructure. OR Copy of Burgaining Council Medical Aid Allawance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

3.3. Indicate administrative requirements applicable for specific goals, Tenderers will not be required to submit the below document if not provided in the original tender proposals, Failure to comply with the criteria stated hereunder <a href="mailto:shall">shall</a> result in the tenderer not allocated points for specific goals:

Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procuremen Regulations 2022
--

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

Page 3 of 7



2

 $\boxtimes$ 

 $\boxtimes$ 

A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Certificate issued by a SANAS accredited service provider

### 4. METHOD TO BE USED TO CALCULATE POINTS FOR SPECIFIC GOALS

4.1. For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 1 below are applicable.

Serial No	Specific Goals	Preference Points Allocated out of 20	Documentation to be submitted to bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	10	<ul> <li>SANAS Accredited BBBEE         Certificate or Sworn Affidavit             where applicable.     </li> </ul>
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	<ul> <li>Official Municipal Rates Statemer which is in the name of the bidder</li> <li>Or</li> <li>Any account or statement which i in the name of the bidder.</li> <li>Or</li> <li>Permission to Occupy from local chief in case of rural areas (PTO) which is in the name of the bidder</li> <li>Or</li> <li>Lease Agreement which is in the</li> </ul>
3.	An EME or QSE or any entity which is at least 51% owned by black women (Mandatory)	4	SANAS Accredited BBBEE     Certificate or Sworn Affidavit where applicable.
4.	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	<ul> <li>SANAS Accredited BBBEE         Certificate or Sworn Affidavit         where applicable.</li> <li>and</li> <li>Medical Certificate indicating that         the disability is permanent.</li> <li>Or</li> <li>South African Social Security         Agency (SASSA) Registration         indicating that the disability is         permanent.</li> <li>Or</li> </ul>

Notice and Invitation to Bid: PA-04 (GS)

-				National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
	5.	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	ID copy and SANAS Accredited     BBBEE Certificate or Sworn     Affidavit where applicable.

4.2. For procurement transaction with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals listed in table 2 below are applicable.

NB. The use of one of goal numbers' 4 or 5 is mandatory. The BSC must select either one of the two, but not both.

### Table 2

Serial No	Specific Goals	Preference Points Allocated out of 10	Documentation to be submitted by bidders to validate their claim
1.	An EME or QSE or any entity which is at least 51% owned by black people (Mandatory)	4	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area (Mandatory)	2	<ul> <li>Official Municipal Rates         Statement which is in the name         of the bidder.</li> <li>Any account or statement         which is in the name of the         bidder.</li> <li>Permission to Occupy from         local chief in case of rural         areas (PTO) which is in the         name of the bidder.</li> <li>Lease Agreement which is in         the name of the bidder.</li> </ul>
3.	An EME or QSE or any entity which is at least 51% owned by black women (mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.

Notice and Invitation to Bid: PA-04 (GS)

			110000 0110 111	VICATION TO DIG. 1 A-04 (00)
Application of the state of the	4. 🗌	An EME or QSE or any entity which is at least 51% owned by black people with disability (Mandatory)	2	SANAS Accredited BBBEE     Certificate or Sworn Affidavit     where applicable.
				and
				Medical Certificate indicating that the disability is permanent.
				Or  South African Social Security Agency (SASSA) Registration indicating that the disability is permanent.
				Or
The second secon	OR			National Council for Persons with Physical Disability in South Africa registration (NCPPDSA).
	5.	An EME or QSE or any entity which is at least 51% owned by black youth (Mandatory)	2	ID Copy and SANAS     Accredited BBBEE Certificate     or Sworn Affidavit where     applicable

### 5. COLLECTION OF BID DOCUMENTS:

- Bid documents are available for free download on e-Tender portal www.etenders.gov.za
- Alternatively; Bid documents may be collected during working hours at the following address Customs House. A non-refundable bid deposit of R 200,00 is payable, (Cash only) is required on collection of the bid documents.
- A *compulsory* pre bid meeting with representatives of the Department of Public Works will take place at CUSTOMS HOUSE BUILDING on 17/05/2024 starting at 10:00. Venue DOME CUSTOMS HOUSE. (if applicable)

### 6. ENQUIRIES

6.1. Technical enquiries may be addressed to:

DPWI Project Manager	LINDANI NOGUBAZA	Telephone no:	021 402 2095
Cellular phone no	063 699 9946	Fax no:	
E-mail	lindani.nogubaza@dpw.gov.za		

6.2. SCM enquiries may be addressed to:

SCM Official	Telephone no:	
Cellular phone no	Fax no:	
E-mail		



### 7. DEPOSIT / RETURN OF BID DOCUMENTS:

Telegraphic, telephonic, telex, facsimile, electronic and / or late tenders will not be accepted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the bid document.

All tenders must be submitted on the official forms

		DEPOSITED IN THE TENDER BOX AT:
BID DOCUMENTS MAY BE POSTED TO:  THE DIRECTOR -GENERAL DEPARTMENT OF PUBLIC WORKS PRIVATE BAG X 9720 Cape Town		MAIN ENTRANCE, GROUND FLOOR CUSTOMS HOUSE BUILDING Lower Heerengracht STREET FORESHORE
8001 ATTENTION:	OR	CAPE TOWN
PROCUREMENT SECTION: ROOM 942  POSTED TENDERS MUST BE RECEIVED PRIOR CLOSING DATE AND TIME AT 11H00 BY THE DEPARTMENT		



### PA-11: BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

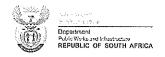
2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest (1) in the enterprise, employed by the state?

YES / NO

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution
-		

<sup>(1)</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.



22

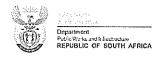
	who is employed by the procuring institution?	YES / NO
2.2.1	If so, furnish particulars:	
2.3	Does the bidder or any of its directors / trustees / shareholders / member or any person having a controlling interest in the enterprise have any interest other related enterprise whether or not they are bidding for this contract?	•
2.3.1	If so, furnish particulars:	
3 D	ECLARATION	•••••
	I, the undersigned, (name)in submitting the accompanying bid, do hereby make the following stater certify to be true and complete in every respect:	

Do you, or any person connected with the bidder, have a relationship with any person

- 3.1 I have read and I understand the contents of this disclosure:
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium2 will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer". Page 2 of 3
For External Use Effective date 5 July 2022 Version: 2022/03

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.



3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature	Date
Position	Name of bidder



### PA-15.1: RESOLUTION OF BOARD OF DIRECTORS

RES	OLUTION of a meeting of the Board of	f "Directors / Members / Partners o	1:	
(legai	lly correct full name and registration number, if a	oplicable, of the Enterprise)		
Held	at	(place)		
on		(date)		
RES	OLVED that:			
1.	The Enterprise submits a Bid / Tender to	the Department of Public Works in	respect of the following project:	
-	project description as per Bid / Tender Documer	nt)		
ı	Bid / Tender Number:	(Bid / Tender	Number as per Bid / Tender Document)	
2.	Mr/Mrs/Ms:			
i	n *his/her Capacity as:		(Position in the Enterprise)	
á	and who will sign as follows:			
(	oe, and is hereby, authorised to sign correspondence in connection with and any and all documentation, resulting f above.	I relating to the Bid / Tender, as we	ell as to sign any Contract, and	
	Name	Capacity	Signature	
1				
2				
3				
4				
5				
6				
7				
8				
9				



### Resolution of Board of Directors: PA-15.1

15		
16		
17		
18		
19		
20		

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed.

### Note:

- \* Delete which is not applicable.
- NB: This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.
- 3. In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
- ownership hereto).

  Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).

  Should the number of Directors / Members / Partners
- Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

# .....

**ENTERPRISE STAMP** 

# PA-15.2: RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the Board of \*Directors / Members / Partners of:

(Le	gally correct full name and registration number, if applicable, of the Enterprise)
He	ld at (place)
on	(date)
RE	SOLVED that:
1.	The Enterprise submits a Bid /Tender, in consortium/Joint Venture with the following Enterprises:
	(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)
	to the Department of Public Works in respect of the following project:
	(Project description as per Bid /Tender Document)
^	Bid / Tender Number:(Bid / Tender Number as per Bid / Tender Document)
2.	*Mr/Mrs/Ms:
	in *his/her Capacity as: (Position in the Enterprise)
	and who will sign as follows:  be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.
3.	The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
4.	The Enterprise chooses as its <i>domicilium citandi et executandi</i> for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:
	Physical address:
	(code)

Postal Address:				
-	 APPROXISE PROPERTY AND A STATE OF THE STATE			
-		(code)		
Telephone number:				
Fax number:				

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed

### Note:

- 1. \* Delete which is not applicable.
- NB: This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.
- In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
- 4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
- Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**ENTERPRISE STAMP** 

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

Page 2 of 2

For external use

Effective date April 2012

Version: 1.2



(Project description as per Bid /Tender Document)

Department:
Packe Wasks and Interstructure
Packer Wasks and Interstructure
REPUBLIC OF SOUTH AFRICA Special Resolution of Consortia or Joint Ventures: PA-15.3

# PA-15.3: SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: (legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture) Held at \_\_\_\_\_\_(place) **RESOLVED** that: **RESOLVED** that: The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Department of Public Works in respect of the following project:

Bid / Tender Number: (Bid / Tender Number as per Bid / Tender Document)



# Department Public Works and Infractivation Page 2012 | Resolution of Consortia or Joint Ventures: PA-15.3 | Republic of South Africa | Special Resolution of Consortia or Joint Ventures: PA-15.3

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed.

### Note:

- \* Delete which is not applicable.
- NB: This resolution must be signed by <u>all</u> the Duly Authorised Representatives of the Legal Entities to the consortium/joint venture submitting this tender, as named in item 2 of Resolution PA-15.2.
- Should the number of the Duly Authorised Representatives of the Legal Entities joining forces in this tender exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.
- Resolution PA-15.2, duly completed and signed, from the separate Enterprises who participate in this consortium/joint venture, must be attached to this Special Resolution (PA-15.3).



# PA-16: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

### 1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to invitations to tender:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

### 1.2 Preference Points System to be applied

(tick whichever is applicable).

$oxed{\boxtimes}$ The applicable preference point system for this tender is the $oldsymbol{80/20}$ preference point systen
$oxedsymbol{\square}$ The applicable preference point system for this tender is the $90/10$ preference point system
☐ Either the <b>90/10 or 80/20</b> preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system one tenders are received.

- 1.3 Points for this tender shall be awarded for:
- 1.3.1 Price; and
- 1.3.2 Specific Goals

### 1.4 The maximum points for this tender are allocated as follows:

	80/20
PRICE	80
SPECIFIC GOALS	20
Total points for Price and Specific Goals	100

- 1.5 Breakdown Allocation of Specific Goals Points
- 1.5.1 For Procurement transactions with rand value greater than R2 000.00 and up to R1 Million (Inclusive of all applicable taxes), the specific goals as listed in table 1 below are applicable.

### All Acquisitions

Serial No	Specific Goals	Preference Points allocated out of 20	Documentation to be submitted by bidders to validate their claim for points
1.	An EME or QSE which is at least 51% owned by <b>black people</b> (Mandatory)	10	• ID Copy
97.00			<ul> <li>SANAS Accredited BBBEE Certificate or sworn affidavit where applicable</li> </ul>
B constraint			CSD Report
			CIPC (company registration)
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered	2	• Office Municipal Rates Statement
***************************************	in that area (Mandatory)		Permission To Occupy from local chief in case of rural areas (PTO)
V-14VW-d-1			Lease Agreement
3.	An EME or QSE which is at least 51% owned by women (Mandatory)	4	• ID Copy
To the state of th			• CSD Report
WALAILAN Y			CIPC (company registration)

Serial No	Specific Goals	Preference Points allocated out of 20	Documentation to be submitted by bidders to validate their claim for points
4.	An EME or QSE which is at least 51% owned by people with <b>disability</b>	2	• ID Copy (Mandatory)
	(Mandatory)		Medical Certificate
			South African Social Security Agency (SASSA) registration
	·		<ul> <li>National Council for Persons with Physical Disability in South Africa registration (NCPPDSA)</li> </ul>
			CSD Report
			• CIPC (company registration)
5.	An EME or QSE which is at least 51% owned by youth. (Mandatory)	2 .	• ID Copy
			CSD Report
			CIPC (company registration)

1.5.2 For procurement transactions with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals as listed in table 2 below are applicable:

All Acquisitions

Serial No	Specific Goals	Preference Points allocated out of 20	Documentation to be submitted by bidders to validate their claim for points
1.	An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals</b> (HDI)	10	• ID Copy
	(Mandatory)		SANAS Accredited BBBEE     Certificate or sworn affidavit     where applicable
			CSD Report
			CIPC (company registration)
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area	2	• Office Municipal Rates Statement
	(Mandatory)		Permission To Occupy from local chief in case of rural areas (PTO)
			• Lease Agreement
3.	An EME or QSE or any entity which is at least 51% owned by <b>women</b>	4	• ID Copy
	(Mandatory)		• CSD Report
			CIPC (company registration)
4.	An EME or QSE or any entity which is at least 51% owned by people with <b>disability</b>	2	ID Copy (Mandatory)
	(Mandatory)		Medical Certificate
			South African Social Security     Agency (SASSA) registration

Serial No	Specific Goals	Preference Points allocated out of 20	Documentation to be submitted by bidders to validate their claim for points
As an and a second			National Council for Persons with Physical Disability in South Africa registration (NCPPDSA)
			• CSD Report
			CIPC (company registration)
5.	An EME or QSE or any entity which is at least 51% owned by <b>youth</b> .	2	• ID Copy
	(Mandatory)		• CSD Report
			CIPC (company registration)

# 1.5.3 For procurement transactions with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals as listed in table 3 below are applicable

### All Acquisitions

Serial No	Specific Goals	Preference Points allocated out of 10	Documentation to be submitted by bidders to validate their claim for points
1.	An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals</b> (HDI)	4	• ID Copy
	(Mandatory)		SANAS Accredited BBBEE Certificate or sworn affidavit where applicable
			CSD Report

Serial No	Specific Goals	Preference Points allocated out of 10	Documentation to be submitted by bidders to validate their claim for points
			CIPC (company registration)
2.	Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area	2	• Office Municipal Rates Statement
	(Mandatory)		<ul> <li>Permission To Occupy from local chief in case of rural areas (PTO)</li> </ul>
			• Lease Agreement
3.	An EME or QSE or any entity which is at least 51% owned by <b>women</b>	2	• ID Copy
- Avanor	(Mandatory)		CSD Report
			CIPC (company registration)
4.	An EME or QSE or any entity which is at least 51% owned by people with disability	2	ID Copy (Mandatory)
	(Mandatory)		Medical Certificate
			• South African Social Security Agency (SASSA) registration
	OR		<ul> <li>National Council for Persons with Physical Disability in South Africa registration (NCPPDSA)</li> </ul>
	An EME or QSE or any entity which is at least 51% owned by <b>youth</b> .		• ID Copy

Serial No	Specific Goals	Preference Points allocated out of 10	Documentation to be submitted by bidders to validate their claim for points
			CSD Report
			CIPC (company registration)

- 1.6 Failure on the part of the tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals, if the service provider/ tenderer did not submit proof or documentation required to claim for specific goals will be interpreted to mean that preference points for specific goals are not claimed.
- 1.7 The organ of state reserves the right to require of a service provider/tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

### 2. DEFINITIONS

- (a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

### THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS 3.1.1.

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

90/10

$$Ps = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$$
 or  $Ps = 90\left(1 - \frac{Pt - Pmin}{Pmin}\right)$ 

Where

Ps

Points scored for price of tender under consideration

Pt

Price of tender under consideration

Pmin = Price of lowest acceptable tender

### 3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

### POINTS AWARDED FOR PRICE 3.2.1.

A maximum of 80 or 90 points is allocated for price on the following basis:

90/10

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$
 or  $Ps = 90\left(1 + \frac{Pt - Pmax}{Pmax}\right)$ 

$$Ps = 90 \left( 1 + \frac{Pt - P \max}{P \max} \right)$$

Where

Ps

Points scored for price of tender under consideration

Ρt

Price of tender under consideration

Pmax =

Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1,2 and 3 above as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies. an organ of state must, in the tender documents, stipulate in the case of-

- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system)  (To be completed by the tenderer)
1. An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals</b> (HDI)	4	10		
2. Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area	2	2		i
3. An EME or QSE or any entity which is at least 51% owned by women	2	4		
4. An EME or QSE or any entity which is at least 51% owned by people with <b>disability</b> or	2	2		

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)	
5. An EME or QSE or any entity which is at least 51% owned by youth.*	2	2			
(Note: only one specific goal is applicable between specific goal number 4 and specific goal number 5 under 90/10 Preference Point System)					

<u>Note:</u> \*in respect of the 90/10 point system a selection of either disability or youth may be made with an allocation of 2 points for either of them.

### **DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3.	Name of company/firm
4.4.	Company registration number:
4.5.	TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium
One-person business/sole propriety
Close corporation
Public Company
Personal Liability Company
(Pty) Limited
Non-Profit Company
State Owned Company
[TICK APPLICABLE BOX]

- 4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:
  - i) The information furnished is true and correct:
  - ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

	SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME:	
DATE:	
ADDRESS:	



# PA 32: INVITATION TO BID PART A

YOU ARE HEREI	BY INVITED TO BID FOR	REQUIREMENTS	OF THE	(NAME O	F DEP	ARTMENT/ PUBL	IC ENTITY)	
BID NUMBER:	CPTSC 04/24	CLOSING DA		31 MA		00008	NG TIME:	11:00
	PROVISION OF S	ECURITY GU	JARDI	NG SE	RVIC	ES AT RON	DEBOSCI	TESTATE FOR A
DESCRIPTION	PERIOD OF THIR	TY SIX (36) N	MONT	HS.				
	UL BIDDER WILL BE REC			IGN A WI	RITTEN	CONTRACT FO	RM (DPW04.	1 GS or DPW04.2 GS).
	DOCUMENTS MAY BE I	DEPOSITED IN T	HE BID					
CONTRACTOR INCOMES AND ADDRESS OF THE PROPERTY	AT (STREET ADDRESS)	LONVER VIE	nees	CITS A CO	TO O	313 13 13 13		
CAPE TOWN	HOUSE BUILDING	LOWER HE	KEEN	GKACI	11 21	KEFI		
Same and the second	(Antipolicy of State of Antipolicy of Antipo							
OR POSTED TO:			,					
	YMALES AND						***************************************	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
SUPPLIER INFO	RMATION						·····	***************************************
NAME OF BIDDE								
POSTAL ADDRES								
STREET ADDRES	***************************************							
TELEPHONE NU		CODE				NUMBER		
		CODE				NOMBER		
CELLPHONE NU	MBEK							
FACSIMILE NUM	BER	CODE				NUMBER		
E-MAIL ADDRES	S							
VAT REGISTRAT	ION NUMBER			***************************************				
		TCS PIN:			OR	CSD No:		
SIGNATURE OF			•••••		DATE		· ]	
	R WHICH THIS BID IS							
sign this bid; e.g	proof of authority to							
directors, etc.)		and the same of th						
						L BID PRICE (14		
TOTAL NUMBER OF ITEMS OFFERED  BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				1.750000		ICABLE TAXES		TED TO
DEPARTMENT/ PUBLIC ENTITY		DE DIKECTED TO	•	TECHNICAL INFORMATION MAY BE DIRECTED TO:  CONTACT PERSON		CTED TO:		
CONTACT PERSON		TELEPHONE NUMBER						
TELEPHONE NU			FACSIMILE NUMBER				***************************************	
FACSIMILE NUM	BER			E-MAIL				
E-MAIL ADDRES	S							

# PART B TERMS AND CONDITIONS FOR BIDDING

### 1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES).
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID

Page 1 of 2



PA-32: Invitation to Bid

	DOCUMENTATION.
1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
2.	TAX COMPLIANCE REQUIREMENTS
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3.	QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1.	IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA?	YES NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES NO
IF T	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? HE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AN OVE.	

## NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. Note Well:

- a) In respect of non VAT vendors the bidders may not increase the bid price under Section 67(1) of the Value Added Tax Act of 1991 where the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.
- b) All delivery costs must be included in the bid price, for delivery at the prescribed destination.
- c) The price that appears on this form is the one that will be considered for acceptance as <u>a firm and final offer</u>.
- d) The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer must correlate and be transferred to this form (PA32).
- e) Where there are inconsistencies between the grand total price offer in the pricing schedule(s) and the PA32 price offer, the price offer on the PA32 shall prevail and deemed to be firm and final. No further correspondence shall be entered into in this regard.

<sup>&</sup>lt;sup>1</sup> All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies



# PA-40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Man	Name of Tenderer						EME' 🗌 QSE <sup>2</sup> 🛚	□ EME¹ □ QSE² □ Non EME/QSE (tick applicable box)	olicable box)
7	1. LIST ALL PROF	LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.	SHAREHOLDE	RS BY NAME, ID	ENTITY NUMBER	R, CITIZENSHIP A	ND DESIGNATE	GROUPS.	
Nam	Name and Surname #	Identity/ Passport number and Citizenship##	Percentage owned	Black ·	Indicate if youth	Indicate if woman	Indicate if person with disability	Indicate if living in Rural (R) / Under Developed Area (UD) / Township (T) / Urban (U).	Indicate if military veteran
<del>-</del>	- STANKAY PRINTAFES	interior woman in the control of the	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
2.		100	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
.3.	100	The state of the s	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
4.		The state of the s	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
5.	7.4.6.	- Andrews	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
.9	The Control of the Co		%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
7.		Transition of the state of the	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
%		1100	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □T □ U	☐ Yes ☐ No
9.		Approximation and the second s	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R□up□r□u	☐ Yes ☐ No
10.	er epitermänntenskripper i jakkriussk	· reference was	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R □ UD □ T □ U	☐ Yes ☐ No
<del>_</del> _		The state of the s	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	□R□UD□T□U	☐ Yes ☐ No
12.		7.0	%	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No	☐ Yes ☐ No		☐ Yes ☐ No
* #	Where Owners a State date of Sou	Where Owners are themselves a Company, Close Corporation, State date of South African citizenship obtained (not applicable	Close Corporation of the Corpora	_	Partnership etc, identify the own to persons born in South Africa)	ership of the Holdi	ng Company, toge	Partnership etc, identify the ownership of the Holding Company, together with Registration number to persons born in South Africa)	ber

Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number State date of South African citizenship obtained (not applicable to persons born in South Africa)

<sup>&</sup>lt;sup>1</sup> EME: Exempted Micro Enterprise <sup>2</sup> QSE: Qualifying Small Business Enterprise



# PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

# 2. DECLARATION:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

- The information and particulars contained in this Affidavit are true and correct in all respects;
- The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
  - The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer ന
- The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein; 4
- Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter; ťO

# Signed by the Tenderer

Date
Signature
Name of representative



### TERMS OF REFERENCE

### 1. PURPOSE

The purpose of this bid is to invite security service providers for: PROVISION OF SECURITY GUARDING SERVICES AT RONDEBOSCH ESTATE FOR A PERIOD OF THIRTY SIX (36) MONTHS.

### 2. PROJECT OBJECTIVES

The objective of this bid is to appoint a security service provider for to ensure the safeguarding of the Department of Public Works & Infrastructure, assets, personnel and information for twenty four (24) hours a day and seven (7) days a week.

### 3. SCOPE OF WORK

The successful bidder appointed will be responsible to render security services at RONDEBOSCH ESTATE.

- 3.1 Safeguard Department of Public Works &Infrastructure RONDEBOSCH ESTATE for twenty four (24) hours a day and seven (7) days a week.
- 3.2 The turnaround time to place guards on site is immediate upon appointment.
- 3.3 Number of guards per shift is as follows:
- 3.3.1 Day Shift 1X Security supervisor with valid Grade B PSIRA Certificate and 2X Security Officers with valid Grade C PSIRA Certificate.
- 3.3.2 Night Shift 1X Security Supervisor with valid Grade B PSIRA Certificate and 2X Security Officers with valid Grade C PSIRA Certificate.
- 3.4 Perform access and egress control during working hours on weekends and public holidays.
- 3.5 Patrol around internal and external RONDEBOSCH ESTATE building premises.
- 3.6 Conduct safety and security inspections inside and outside RONDEBOSCH ESTATE.
- 3.7 Assist during emergency situations as and when the need arises.
- 3.8 Report any incident or irregularities to the DPWI Security Manager.
- 3.9 Ensure access control through searching of persons, vehicles and goods, monitoring movement of people and CCTV cameras.
- 3.10 Compile a technical site report on a weekly basis submit to the Security Manager.

### 4. CONDUCT AND BEHAVIOUR OF SECURITY GUARDS AND SUPERVISORS

- 4.1 Possess good communication, reading and writing skills in English, and one (1) other official language.
- 4.2 Security guards must have sober habits and portray a professional attitude at all the times.



- 4.3 Supervisors and security guards shall comply with the functions and duties as per the bid requirements.
- 4.4 Security guards must at least possess **grade 10** as a minimum of qualification and valid **PSIRA Grade C** certificate.
- 4.5 Supervisor must at least possess **grade 12**, **PSIRA Grade B** certificate and a valid driver's license code 08 or 10.
- 4.6 Service providers are prohibited to employ foreign nationals, only South Africans will be accepted on Department of Public Works &Infrastructure sites.
- 4.7 Supervisor must post guards in correct uniform and supply the correct equipment as stipulated in the bid document.
- 4.8 The Supervisor must visit every shift throughout the month and sign the OB (Occurrence Book) as proof of site visit, in the event the Supervisor fails to visit sites, the Department of Public Works & Infrastructure reserves the right to pro-rata the invoice.
- 4.9 Use of incorrect uniform is prohibited.
- 4.10 Security management team may visit the site at any time and should non-compliance be found, such will be escalated to the management.
- 4.11 PSIRA registration cards and name tag shall be displayed by all security officers on duty.
- 4.12 No visible tattoos allowed on security officers.
- 4.13 Security officer on duty shall be in full uniform.
- 4.14 Security officer on duty shall not eat and smoke in public.
- 4.15 Security officer on duty shall be on his/her feet when attending to a client or to a member of public.
- 4.16 The use of private cellular phones is disallowed during working hours only the emergencies are allowed.
- 4.17 No security officer shall take away any item that belongs to the department or suppliers, be it cleaning material or toiletries.
- 4.18 Male officer should be clean shaven or leave a trimmed moustache.

### 5. WORKING SHIFTS

Working shifts is twenty four (24) hours a day and seven (7) days a week and will commence as follows:

Dayshift (06:00 to 18:00) and nightshift (18:00 to 06:00); Mondays to Sundays and public holidays.

# 6. THE SUCCESSFUL BIDDER MUST ENSURE THAT SECURITY GUARDS ARE EQUIPPED WITH THE FOLLOWING SERVICE AIDS:

- a) Portable radio per point with earpieces for all security guards (radios must be programmed to contractor's frequency)
- b) Full uniform and dress standard, jacket, shirt, pants, name tags, pull over jerseys and appropriate shoes
- b) Patrol vehicle
- c) Torches
- d) Occurrence book
- e) Pocket Books and pens (black and red)
- f) Hand cuffs



- g) Hand held metal detectors (when needed)
- h) Fire-fighting equipment (when needed)
- i) Whistle
- i) Guard house
- k) Ablution facilities (when needed)
- I) Patrol monitoring system

### 7. SITE PROCEDURES MANUAL (Structural Plan)

The successful bidder will be required to submit a detailed site procedures manual within seven (7) days after appointment that *inter alia* address the following:

- 7.1 How security guards will execute and managed on a twenty four (24) hours a day and seven (7) days a week basis depending the departmental structural plan
- 7.2 How rapid reactions by security guard/s will be executed in terms of capacity and other relevant security structures.

### 8. OTHER CONDITIONS OF BID

### 8.1 MINIMUM SPECIFICATION

This specification is only minimum. Any shortcomings in the specifications should be pointed out in writing via email or be pointed out in the compulsory site briefing. Any additional costs incurred by the service provider because of shortcomings in the bid specification will be for the service provider's own account e.g. providing of a guard house, ablution facilities etc.

### **8.2 COMPLIANCE**

Failure to provide sufficient information may disqualify the bidder. Any condition imposed by the bidder that is restrictive or contrary to any part of this bid will automatically disqualify the bidder.

### 8.3 CLARIFICATION

The Department of Public Works & Infrastructure may request clarification or further information regarding any critical aspect of the bid. The bidder must supply the requested information within seven (7) calendar days however, where practical within 72 hours after the request has been made failure to do so the bidder may be disqualified if it fails to submit the required information after maximum of seven (7) calendar days.

### 8.4 ACCESS CONTROL SYSTEM

The security personnel must be able to control access and exit point.

If any suspicious activities are depicted in any other manner, it should be reported to the Security Manager and entry to be made in the occurrence book immediately. The information on the access control system must be recorded by the security staff and made available to the client for consolidating the site report and storage in line with the departmental internal security procedures.



As part of access control security guards must open and close the access gates of the building.

Access to the premises must be strictly controlled by the security guards, all Public Works employees and tenants should be required to use access cards to enter the building and visitors sign the visitor's register.

Inspection and searching of Departmental and private vehicles must be conducted at the entrance and exit points all the time.

### 8.5 LOST ITEMS:

### 8.5.1 DEFINITION:

Lost items found on the premises and for which ownership cannot be established immediately. All lost articles must be recorded in the occurrence book, after which they must be handed to the Security Manager immediately.

### 8.5.2 DELIVERIES/ DISPATCHING

No deliveries by any person will be received by security staff on behalf of the Department of Public Works & Infrastructure and Client Department. No dispatching by any person will be done by security staff on behalf of the Department of Public Works & Infrastructure and Client Department. Deliveries will be done only at the identified dispatching and delivery entrance/s.

### 8.6 LABOUR UNREST INCIDENTS:

### 8.6.1 DEFINITION:

It is when the Department's personnel on the site or the security personnel engage in illicit personnel practices such as strikes, unrest and intimidation.

### 8.6.2 LABOUR UNREST AT THE SITE

If the service is interrupted or temporarily deferred because of any labour unrest, labour dispute, civilian disorder, a local or national disaster or any other cause beyond the control of the service provider, the parties must come to an agreement on the methods to ensure continuation of the security service.

### 8.6.3 INDUSTRIAL RELATIONS

Ensure that all problems experienced by security officers on site including labour disputes are resolved amicably.

Adhere to the provisions relating to salaries, wages and remuneration as envisaged in the Basic Conditions of Employment Act and the National Bargaining Council. Security guards must ensure order during strikes/lock-outs.



### 9. EVALUATION OF SERVICE

The Department of Public Works &Infrastructure reserves the right to evaluate the conduct, behaviour and performance on site, should it be deemed necessary. Evaluation of service shall be done by Department of Public Works & Infrastructure representative on the site as well as by the service provider as when the need arises.

The Department reserves the right to evaluate the service rendered by the service provider at any time, in order to ensure that the services are rendered in accordance with the conditions of the contract and site specification.

The Department of Public Works &Infrastructure reserves the right to require from the service provider that any of his/her employees be replaced, in which case the employee must leave the site forthwith.

The Department of Public Works &Infrastructure will not be held responsible for any damage or claims, which may arise because of this and is indemnified against any such claims and legal expenses.

**NOTE:** The Departmental representatives will have the right to check daily, whether sufficient personnel are available on site in terms of the conditions.

### 14. LIABILITY

The service provider hereby indemnifies the Client against all legal liability with regard to any claims that may arise as a result of a breach of contract or negligence on the part of the service provider in respect of its obligations in terms of this Agreement.

The service provider will be held liable for any damages or loss suffered by the Department of Public Works & Infrastructure, as a result of the contractor's own employees' negligence or intent, which originated on the site.

The Department of Public Works & Infrastructure shall not be liable for any loss or damage of any nature to any of the service providers' properties or any items kept at the Department's sites, even in cases where the loss originated as a result of negligence or intent on the part of the department.

The Department of Public Works & Infrastructure and other beneficiaries shall not bring any claim personally against any individual employed by or providing services on behalf of the service provider but only against the service provider in respect of loss or damage suffered by the Department of Public Works & Infrastructure or by other beneficiaries arising out of or in connection with the services.

This restriction shall not operate to limit or exclude the liability of the service provider as a company for the acts or omissions of its, directors, employees and agents. Any claim from the Department of Public Works & Infrastructure or other beneficiaries must be made (for these purposes a claim shall be made when court or other dispute resolution proceedings are commenced) within three years of the date on which the Department of Public Works & Infrastructure became aware, or ought reasonably to have become aware, of circumstances giving rise to a claim or potential claim against the service provider.



### 15. INDEMNIFICATION

The service provider hereby indemnifies the Department of Public Works & Infrastructure against any liability which the Department may incur as a result of any claim against the Department of Public Works & Infrastructure by any third party in respect of personal loss, death, injury or damage directly arising from any wilful or negligent acts or omissions by the service provider, its employees, agents or independent contractors in performing its obligations under this Agreement.

### 16. OCCUPATIONAL HEALTH AND SAFETY

The service provider must comply with occupational Health and Safety Regulations.

### 17. CONTINGENCY AND CRISIS MANAGEMENT PLAN

A Contingency and Crisis Management plan must be in place and available on request.

### 18. DAMAGE OR DESTRUCTION

The Department of Public Works & Infrastructure will not be held liable for any damage to or destruction of any equipment or property of the contractor during the execution of their duties.

### 19. PUBLIC LIABILITY

The Department of Public Works & Infrastructure will not be liable for any claims and legal costs which might ensue from the failure by or acts committed by the security personnel against third persons, which act include the smuggling of illegal substances and weapons, illicit arrest and other illicit or wrongful deeds.

### 20. INSURANCE

The service provider must, at his/her own expenses, take out sufficient insurance against any claims, costs, loss and/or damage following from his/her obligations and shall ensure that such insurance remains operative for the duration of this agreement.

A copy of such insurance contract must be handed to the Departmental representative on commencement of the service.

Evidence that such insurance premiums have indeed been paid, must be furnished on request.

### 21. USE OF STATE ASSETS

The service provider may not, unless otherwise specified, make use of any of the State's equipment aids and/or property, for purposes of compliance with the



conditions, which equipment, aids and/or property include *inter alia* stationery, rooms and furniture unless designated by the Department of Public Works & Infrastructure.

### 22. TRADING

Under no circumstances is security personnel allowed to carry on any trading activities within the premises of Department of Public Works & Infrastructure.

### 23. DISPLAYS

The service provider shall not erect or display any sign, printed matter, painting, name plates, advertisement, and article or object of any nature whatsoever in, or against the State buildings or sites or any part thereof without written consent.

The service provider shall not publicly display at the site any article or object which might be regarded as objectionable or undesirable. Any sign, printed matter, painting, name plate, advertisement, article or object displayed without written consent or which is regarded as objectionable or undesirable will immediately be removed. The service provider shall be held responsible for the costs of such removal and for damages or claims which might be incurred.

### 24. PRO-RATA DECREASE OF PAYMENT:

If at any time the service is not rendered in accordance with the conditions of contract or the specification (for example number of guards are incomplete), the Department of Public Works & Infrastructure reserve the right to adjust payment pro-rata.

Similarly, no departure from or breach of or failure to comply with any of the conditions shall be deemed to be a condonation, waiving or ratification of such departure, breach or failure to comply, unless such condonation, waiving or non-fulfilment has been agreed to in writing, through the Departmental Bid Committee.

### 25. TERMINATION OF SERVICE:

The stipulations of the Service Level Agreement (SLA) apply in particular to cases of any failure to comply with any of the conditions of contract, or where an unsatisfactory service is rendered.

The successful Bidder/s must take note that the contract will be terminated if a trend of poor performance is observed or non-compliance with bid specification during execution of the contract. (See terms and conditions of service level agreement).

The service provider shall be terminated immediately should the contractor no longer qualify as security service provider in terms of the PSIRA, (Act 56 of 2001).

The service provider must notify the Department of Public Works & Infrastructure immediately should he/she or any member of his/her security personnel no longer meet the qualifications or conditions of the PSIRA, (Act 56 of 2001).



The service provider must immediately remove from the site and replace any of his/her employees who no longer qualify as security officers in terms of the PSIRA, (Act 56 of 2001).

### 26. AMENDMENT IN CONTRACT

Any amendment or waiving of the stipulations of the contract must occur in writing by mutual consent through the Departmental Bid Committee.

### 27. TRANSFER OF CONTRACT

Should the service provider alienate his/her rights and liabilities in terms of this contract, he/she must notify the Department of Public Works & Infrastructure immediately so that the necessary steps for the transfer of the contract can be taken in terms of Treasury Regulations.

### 28. EVALUATION ON COMPLIANCE WITH BID CONDITIONS

After passing pre-qualification stage, bidders will be evaluated on compliance with the method to be used to calculate points for specific goals and price.

Signature	of Bidde	r:	 ••••••	**********
Date:	***********		 	

### 29. SPECIAL CONDITIONS OF THE CONTRACT

- 29.1 Bidder must submit a proof of existing Administrative Office within the Cape Metropolitan Area where the service will be rendered within the Western Cape.
- 29.2 Administrative office:

The bidder must provide the following as proof of ownership of an existing administrative office:

- A copy of a title deed in the company or the director's name OR
- Lease Agreement in the name of the company signed by both lessee and lessor which must be valid for the duration of the contract OR
- Letter of intent to buy or to lease.



# 30. STATUTORY DOCUMENTS REQUIRED AND MUST BE SUBMITTED WITH THE TENDER DOCUMENT FOR EVALUATION PURPOSES, FAILURE TO SUBMIT WITH THE FOLLOWING DOCUMENTS WILL RESULT TO ELIMINATION:

- Valid PSIRA company registration certificate
- Valid PSIRA Grade A or B certificate for the Director(s)
- Valid PSIRA Letter of Good Standing
- Valid COIDA Letter of Good Standing from Department of Labour
- Valid certificate of registration issued by the National Bargaining Council for the Private Security Sector.

# 31. STATUTORY DOCUMENTS REQUIRED TO BE SUBMITTED BY A SUCCESSFUL BIDDER.

Copy of Bargaining Council Health Insurance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure. OR Copy of Bargaining council Medical Aid Allowance, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

Proof of provident fund, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

Proof of public liability for an amount of two (2) million rands, if not yet registered the company will be given a period of seven (7) calendar days to register and submit to the Department of Public Works & Infrastructure.

Copy of a valid Letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department.

(In the event the bidder has already obtained the letter of Good Standing issued by the National Bargaining Council for the Private Security Sector, such a bidder should submit it with the tender document).

Bidder must submit copy of a Lease Agreement or Service Level of Agreement or Municipality Water bill; Title Deed or Letter of intent to rent or buy as a proof of existing Administrative Office within the Cape Metropolitan Area where the service will be rendered within the Western Cape, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department.

Bidder must submit a copy of proof of existing Administrative Office i.e. Service Level of Agreement, Water bill from the Municipality, title deed or a Letter of intent to rent or buy within the Cape Metropolitan Area where the service will be rendered within the Western Cape, if not yet provided the company will be given a period of seven (7) calendar days to obtain and submit to the Department.



NB: Failure to comply with the above conditions and or requirements will lead to disqualification of your bid.

### 32. SECURITY CLEARANCE

32.1 The successful bidder will be subjected to a positive security clearance obtained from the State Security Agency (SSA) before award. If the results are negative the bidder will be disqualified.



### PRICING SCHEDULE

Bidders are required to adhere to the National Bargaining Council rates effective from 1 March 2024 until 28 February 2026. Thereafter the revised National Bargaining Council rates, if any, will apply until the end of the contract.

Bidders will be compensated based on the National Bargaining Council rates for Private Security sector (Area 1 and Area 2 for Urban). Bidders must price Grade B for Supervisor and Grade C Security Guard and are required to price for share of overheads and mark-up percentage as indicated hereunder. Bidders must complete the Pricing schedule in full, failure to complete the pricing schedule in full will result to elimination. Only VAT vendors are eligible to price for VAT at 15%.

TOTAL DIRECT COST AS PER NATIONAL BARGAINING COUNCIL FOR PRIVATE SECURITY SECTOR (Use line B) Failure to use this line will result to the bid disqualified	and grade C) Per Month	Quantity of guards require	Year 1 ( Unit price x 12 months)	Year 2 (Unit price x 12 months)	Year 3 (Unit price x 12 months)	Total Unit Price for the full contract duration (36 months)
Grade B	R	X2	R	R	R	R
Grade C	R	X6	R	R	R	R
SUB-TOTAL			R	R	R	R
SHARE OF OVERHEADS ( % )			R	R	R	R
MARK- UP PERCENTAGE (%)			R	R	R	R
VAT at 15% (if VAT vendor)			R	R	R	R
GRAND TOTAL IN FIGURES (Combine total cost for the duration of the contract thirty six (36) months for both Grade B and Grade C MUST be transferred to PA 32 form- "Invitation to Bid" as total bid offer			R		•	

NB: GRAND TOTAL MUST BE TRANSFERRED TO PA-32 (INVITATION TO BID) AND FULLY COMPLETED: INVITATION TO BID PART B AS TOTAL BID PRICE, FAILURE TO DO SO WILL INVALIDATE THE BID FOR FURTHER EVALUATION. FOR VAT VENDORS, IT IS MANDATORY TO INCLUDE VAT IN THEIR BID PRICE.



The bidders are required to adequately complete Pricing Schedule. Column for year one (1), two (2) and three (3) must be duly completed and correctly transferred to the last column for the full duration of the contract (36 months).

The bidder must invoice the Department of Public Works & Infrastructure accordingly. The Department of Public Works & Infrastructure reserves the right to negotiate with the bidder on the mark up percentage and/or overheads).

No additional costs will be accepted for whatever reason except increase or decrease in VAT or adjustment of rates as per National Bargaining Council rates for Private Security sector.

Price adjustment will not automatically apply it will be applicable on year two (2) and three (3) of the contract. (The contract period or the year two (2) and three (3) will be calculated after 12 months from the date of award).

It is mandatory to quote using Line B of the illustrative Pricing Guide issued by the National Bargaining Council for the Private Security Sector, failure to do so will result to disqualification.